

U.S. DISTRICT COURT
DISTRICT OF VERMONT
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UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

JABBAR CHANDLER,)
)
 Plaintiff,)
)
 v.) Case No. 2:16-cv-22
)
 C.C.S. MEDICAL SERVICES,)
)
 Defendant.)

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**
(Docs. 11 & 12)

This matter came before the court for a review of the Magistrate Judge's October 31, 2016 Report and Recommendation ("R & R") (Doc. 12), in which he recommended that the court grant Plaintiff Jabbar Chandler's motion to dismiss his Complaint so that he may exhaust his administrative remedies. (Doc. 11.) Defendant C.C.S. Medical Services did not object to Plaintiff's motion. Neither party has filed an objection to the R & R, and the time period to do so has expired.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1); *Cullen v. United States*, 194 F.3d 401, 405 (2d Cir. 1999). The district judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); *accord Cullen*, 194 F.3d at 405. A district judge, however, is not required to review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because Plaintiff requests that his Complaint be dismissed, the court adopts the Magistrate Judge's conclusions and adopts the R & R in its entirety.

CONCLUSION

For the foregoing reasons, the court hereby ADOPTS the Magistrate Judge's R & R (Doc. 12) as the court's Order and Opinion, and GRANTS Plaintiff's motion to dismiss his Complaint without prejudice. (Doc. 11.)

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 30th day of January, 2017.



Christina Reiss, Chief Judge
United States District Court